

[Federal Register: February 1, 2007 (Volume 72, Number 21)] [Notices] [Page 4726-4727] From the Federal Register Online via GPO Access [wais.access.gpo.gov] [DOCID:fr01fe07-82] -----

----- DEPARTMENT OF JUSTICE Notice of Lodging of Consent Decree Between the United States of America and M.G. Waldbaum Co., Under the Clean Water Act and Clean Air Act Under 28 CFR 50.7, notice is hereby given that on January 9, 2007, a proposed Consent Decree (Consent Decree) with Defendant M.G. Waldbaum Co. (Waldbaum) in the case of United States v. the City of Wakefield, Nebraska and M.G. Waldbaum Co., Civil Action No. 8:07-cv-00014-TDT, has been lodged, concurrently with filing of a complaint, in the United States District Court for the District of Nebraska. This Consent Decree resolves the United States' claims against Waldbaum under Sections 301, 307 and 402 of the Clean Water Act, 33 U.S.C. 1311, 1317 and 1342, for overloading the City of Wakefield's wastewater treatment lagoons thereby violating the prohibition on pass through and/or interference with a Publicly Owned Treatment Works, illegally discharging manure-laden runoff from one of its farm facilities to waters of the United States, and improperly land-applying process wastes in violation of its permit, as well as under the Clean Air Act, 42 U.S.C. 7412(r), and its implementing regulations, for improper storage and handling of anhydrous ammonia at one of its egg processing facilities. Under the decree, Waldbaum will among other things comply with a schedule in its permit for construction of a wastewater treatment plant and obtain a permit for the farm facility from which it illegally discharged manure-laden runoff. Waldbaum also agrees to pay civil penalties to the United States and the State of Nebraska totaling \$1,050,000. The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to United States v. the City of Wakefield, Nebraska and M.G. Waldbaum Co., Civil Action No. 8:07-cv-00014-TDT, D.J. Ref. 90-5-1-1-08346. The Consent Decree may be examined at the Office of the United States Attorney, District of Nebraska, 1620 Dodge Street, Suite 1400, Omaha, Nebraska 68102-1506, and at the Environmental Protection Agency, Region 7, 901 N. 5th Street, Kansas City, Kansas 66101. During the public comment period, the Consent Decree may be examined on the following Department of Justice Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$40.50 (25 cents per [[Page 4727]] page reproduction cost) payable to the United States Treasury for payment. Robert E. Maher, Jr. Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division, United States Department of Justice. [FR Doc. 07-424 Filed 1-31-07; 8:45 am] BILLING CODE 4410-15-M